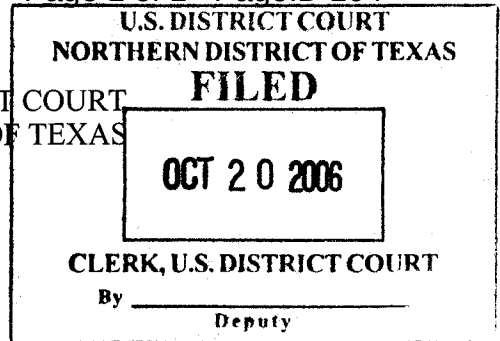


IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
AMARILLO DIVISION



ERIC WHEELER,
a/k/a Roger Dale Shipman,

Petitioner,

v.

STATE OF TEXAS, and
JIM ENGLISH, District Attorney,

Respondent.

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2:06-CV-0148

ORDER OVERRULING OBJECTIONS,
ADOPTING REPORT AND RECOMMENDATION,
and DISMISSING PETITION FOR A WRIT OF HABEAS CORPUS

Came for consideration the federal habeas corpus application filed by petitioner ERIC WHEELER a/k/a Roger Dale Shipman, a California state prisoner. On October 2, 2006, the United States Magistrate Judge issued a Report and Recommendation in this cause, recommending therein that the instant habeas application be dismissed. Petitioner filed objections to the Magistrate Judge's Report and Recommendation on October 18, 2006.

The undersigned United States District Judge has made an independent examination of the record in this case. Petitioner's objections are hereby OVERRULED, and the Magistrate Judge's Report and Recommendation is hereby ADOPTED. Accordingly, the petition for a writ of habeas corpus is hereby DISMISSED. Let Judgment be entered accordingly.

IT IS SO ORDERED.

ENTERED this 20th day of October 2006.

MARY LOU ROBINSON
UNITED STATES DISTRICT JUDGE